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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

DOCKETED

JAN - 6 2012

GARY PIERCE - Chairman
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP
BRENDA BURNS

DOCKETED BY

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IN THE MATTER OF THE ARIZONA
CORPORATION COMMISSION, ON ITS
OWN MOTION, TO ESTABLISH AN
ARRAY OF PUBLIC RAIL/HIGHWAY
GRADE CROSSINGS THROUGHOUT THE
STATE OF ARIZONA.

DOCKET NO. RR-00000E-11-0020

DECISION NO. 72725ORDER

Open Meeting
December 13 and 14, 2011
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Arizona Revised Statutes (A.R.S.) Sections 40-337.02 and 40-337.03 relate to the allocation of funds for the installation of automatic warning signals and devices at public railroad grade crossings and the determination of locations where the installation of automatic warning signals should occur on that date.

2. A.R.S. Section 40-337.03 enables the Arizona Corporation Commission (Commission), which has the exclusive power to determine and prescribe the manner and terms of installation of warnings at each railway crossing pursuant to A.R.S. Section 40-337, to establish an array of public railroad grade crossings to plan for the orderly installation of automatic warning signals and devices.

3. Although numerous hazard index formulas have been proposed over many years to assess the relative hazard of a grade crossing based upon some combination of its characteristics, no one such formula, or combination thereof, has universal acceptance. The development of the array and the determination of the warnings to be installed at crossings also involve the exercise of judgment.

4. The array establishes crossings where the installation of automatic warning signals and devices should be considered in accordance with the above referenced legislation, depending upon the availability of monies, material, labor and other factors involved in such installation. The inclusion of a crossing on the array, however, does not mean that existing warning signs or signals, if any, are inadequate to enable an ordinary, prudent motorist to safely pass over the crossing. Conversely, a public crossing not appearing on the array does not exclude it from being improved under this program if it becomes an increased hazard to safety prior to the issuance of the next annual array.

5. The array first became effective on July 1, 1977. It is in the best interest of public safety, considering the current state and federal appropriations which have been allocated for the acquisition and installation of automatic warning signals and devices at public grade crossings in Arizona, for the array to be supplemented as provided herein.

6. In order to promote the timely installation of warning signals and crossing upgrades, Staff, with representatives of Arizona Department of Transportation and the Federal Highway Administration, have determined that an additional four (4) crossings should be placed on the 2011 array for upgrading.

7. Staff has recommended that the array approved by the Commission in Decision No. 72020 dated December 10, 2010, be reaffirmed and that the crossings listed in Attachment 1 be added to the array.

CONCLUSIONS OF LAW

1. Some Public railway/highway grade crossings in Arizona are eligible to receive Federal funds for the installation of automatic warning signals and devices under the 23 U.S.C. § 130. These monies were appropriated in recognition of the public responsibility to improve safety at railway/highway crossings, and may be used to pay one hundred (100) percent of the total installation cost of each project.

2. Pursuant to the Commission's exclusive power over railway/highway crossings, the array shall establish the public grade crossings in Arizona at which changes in signalization may be made under A.R.S. Sections 40-337, *et seq.*

ORDER

THEREFORE, IT IS ORDERED that the array established in Decision No. 72020, as well as the crossings listed on Attachment 1, be and hereby is approved.

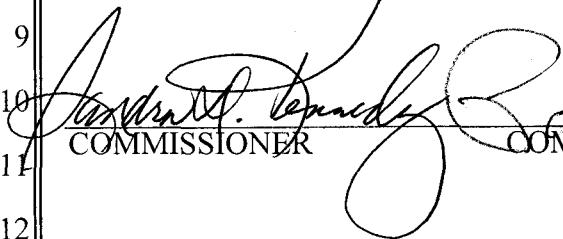
IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

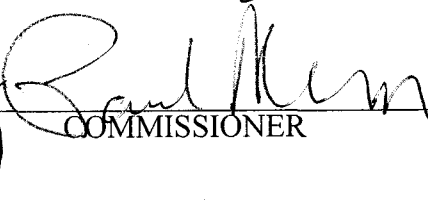
CHAIRMAN



COMMISSIONER



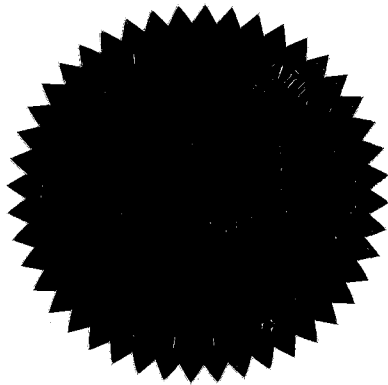
COMMISSIONER



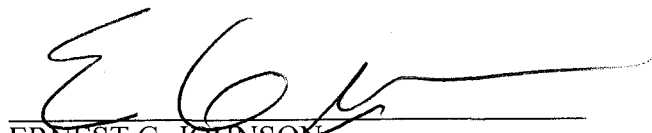
COMMISSIONER



COMMISSIONER



IN WITNESS WHEREOF, I ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 6th day of JANUARY 2012.


ERNEST G. JOHNSON
Executive Director

DISSENT: _____

DISSENT: _____

1 SERVICE LIST FOR:
2 DOCKET NO. RR-00000E-11-0020

3 Mr. Robert Travis
4 Railroad Engineering Coordinator
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19 Mr. Michael D. Norris
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24
25
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27
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2011 Array for Railroad-Highway Safety Projects in Arizona

Docket NO. RR-00000E-11-0020

DOT Number	RR	MP	Location	Scope of Work	Estimated Costs	Exposure Index
Protective Devices						
741 310 P	UP		Red Hill Rd**	Flashers & Gates	\$ 450,000	500.04
741 393 F	UP		Cochise Stronghold	Flashers & Gates	\$ 250,000	637.6
741 702 R	UP		Gilbert Rd	LED upgrade	\$ 20,000	
** Red Hill road remote and may require power brought in						
* Red Hill Rd and Cochise Stronghold on UP Transcon.						
Subtotal					\$ 720,000	
Hazard Elimination						
741 702 R	UP		Gilbert Rd	Concrete Crossing	\$100,000	3220.0
760 778 X	BOR		Business 8	Concrete Crossing	\$200,000	45,915
Subtotal					\$ 300,000	
Total					\$1,020,000	